



RESIDENTIAL BOARD OF ADJUSTMENT DECISIONS

Wednesday, September 17, 2014
1:30 PM

1000 Throckmorton
City Council Chamber
2nd Floor – City Hall

Fort Worth, Texas 76102

For More Docket Information Visit:

<http://fortworthtexas.gov/planninganddevelopment/boards>

BOARD MEMBERS:

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Steve Epstein	<u>P</u>
Darien George	<u>P</u>

I. 12:30 P.M. LUNCH/WORK SESSION Pre-Council Chamber

A. Review of Cases on Today's Agenda

II. 1:30 P.M. PUBLIC HEARING Council Chamber

A. Approval of Minutes of August 20, 2014 Hearing 8-0-1

B. Translation Cases

1. **BAR-14-148** Jose Alfredo Benavides Garcia by Estephanie Rocha
3016 Purington Avenue

- Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a habitable structure to encroach 3 feet into a 5-foot side yard setback, creating a 2-foot side yard setback.
- Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a habitable structure to encroach 3 feet into a 5-foot rear yard setback, creating a 2-foot rear yard setback.

Approved (9-0)



C. Continued Cases

2. BAR-14-116 Angela B. Jaggears by Neva Hetfield
4649 Misty Ridge Drive

- a. Request a **Special Exception** under the “A-5” One-Family District regulations to permit the construction of a carport that where none is allowed.

Motion to approve failed for lack of seven affirmative votes (2-7)

3. BAR-14-119 Robert Albriton by Alan Turner
4321 Ridgehaven Court

- a. Request a **VARIANCE** in an “A-43” One-Family District to permit the construction of a pool house structure that to encroach a 1-foot 6-inches into a 25 foot side yard setback.
- b. Request a **VARIANCE** in an “A-43” One-Family District to permit the construction of a pool house, pump house (accessory structure), and pool with a maximum encroachment of 20 feet into a 25-rear-yard setback creating a 5-foot rear-yard setback.
- c. Request a **SPECIAL EXCEPTION** in an “A-43” One-Family District to permit the continued construction of a 5-foot open-design fence in the front yard.

Items a and b were approved (7-2); and motion to approve Item c failed for lack of seven affirmative votes (3-6)

4. BAR-14-123 Janet Bishop, Village Homes
1820 Belle Place

- a. Request a **VARIANCE** in an “A-5” One Family District to permit the construction of a new home to encroach 5-feet into a 10-foot side yard setback, creating a 5-foot side yard setback.

Denied without prejudice (9-0)

D. New Cases

5. BAR-14-053 James & Kathy Breen
1940 Warner Road

- a. Request a **VARIANCE** in an “A-5” One-Family District to permit the construction of a pool house that would encroach 3 feet into a 5-foot side yard setback, creating a 2 setback.
- b. Request a **VARIANCE** in an “A-5” One-Family District to permit the construction of a pool house and outdoor kitchen that would encroach 5 feet into a 5-foot rear yard setback, creating a 0-foot setback.

Approve with the stipulation of a 1-foot rear yard setback. (9-0)

6. BAR-14-130 Barcus Hunter by Pope, Hardwicke, Christie, Schell, Kelly & Ray, LP
3715 Cresthaven Terrace

- a. Request a **SPECIAL EXCEPTION** in an “A-21” One-Family District to permit the continued use of a 5 foot open-design fence in a projected front yard.
- b. Request a **VARIANCE** in an “A-21” One-Family District to permit the continued use of an open-design fence 5 feet 2 inches in height, excessive by 2 inches in the projected front yard.

Approved (9-0)



7. BAR-14-132

Maken's Profit Sharing Plan by Weston Black

3400 & 3402 W. 6th Street

- a. Request a **VARIANCE** under the "A-5" One-Family requirements to permit the construction of a residence that encroaches 5 feet into a 10-foot side yard setback, creating a 5-foot setback.
- b. Request a **VARIANCE** under the "A-5" One-Family requirements to permit the construction of a single family dwelling that covers approximately 50.1 percent of the lot, where 50 percent is allowed, excessive by 0.1 percent.

Item a was approved (7-2) and motion to approve Item b failed for lack of seven affirmative votes (4-5)

8. BAR-14-135

Joel Rasor by Lisa Rasor

1900 Heidelberg Drive

- a. Request a **VARIANCE** in an "A-5" One-Family District to continue allowing a waiver of the requirement of 2 parking spaces behind the front building line.

Approved (9-0)

9. BAR-14-136

Alan and Lynn Krenek by Karl Hahnfed

5225 Cliffrose Lane/3621 Middlewood Drive

- a. Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a pool to encroach 5 feet into a 20-foot front yard setback, creating a 15-foot front yard setback.
- b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a 4-foot solid fence in a front yard.
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a solid fence 8 feet in height, excessive by 4 feet in a front yard.

Approved (9-0)

10. BAR-14-138

Rickey Riley by Deborah Robertson

2300 Mistletoe Avenue

- a. Request a **SPECIAL EXCEPTION** in an "A-5-HC" One-Family/Historic Cultural Landmark District to permit the continued use of a 4-foot solid fence in the front yard.
- b. Request a **VARIANCE** in an "A-5-HC" One-Family/Historic Cultural Landmark to permit the construction of a solid fence 7 feet in height, excessive by 3-feet in the front yard.

Motion to approve fails for lack of 7 affirmative votes (6-2)

11. BAR-14-139

Michele Rice by Steven Rice

3905 Orlando Springs

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed that encroaches 3 feet 1 inch into a 5-foot side yard setback, creating a 1 foot 11 inch setback, and waiving the additional setback for accessory structures over 10 feet tall.
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed that is approximately 70 feet from the front property line, where 75 feet is required, deficient by 5 feet.

Approved (8-0)



12. BAR-14-141

John K & Janice Marut
3725 Somerset Lane

- a. Request **Variance** in an "A-5" One Family District to a front porch addition encroaching 4 feet in to the front yard setback.

Approved (7-1)

13. BAR-14-142

Leland Cleland
6901 Windswept Circle

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a porch structure encroaching 5 feet into a 5-foot side yard setback, creating a 0-foot side yard setback.
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a porch structure encroaching 5 feet into a 5-foot rear-yard setback, creating a 0-foot rear yard setback.
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued construction of a 10-foot fence in the southwest portion of the lot, which is 2-feet in excess of the allowed 8 feet.

Approved subject to stipulation that side yard encroachment ends as shown on site plan exhibit submitted with application (8-0)

14. BAR-14-144

Randall & Michelle Goodwin
3540 Socorro Lane

- a. Request a **Special Exception** under the "A-5" One-Family District regulations to permit the continued use of a carport where none are allowed.

Approved (8-0)

15. BAR-14-145

Andrew Dugas by Tom Tinsley
2612 Ryan Avenue

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a single-family residence to encroach 2 feet into a 5-foot side yard setback (south), creating a 3-foot side yard setback.
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a primary residential structure that to encroach 2 feet into a 5-foot side yard setback (north), creating a 3-foot side yard setback.

Denied without prejudice (8-0)

16. BAR-14-146

Lea and Richard Payne
4001 Monticello Drive

- a. Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a pool and shade structure encroaching 25 feet into a 35-foot projected front yard setback, creating a 10-foot projected front yard setback.
- b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a 4-foot solid fence in the projected front yard.
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a 7 foot solid fence, excessive by 3 feet in the projected front yard.

Item a is approved (8-0) and items b and c were not considered as they were no longer needed.



17. BAR-14-147

BF Jack Real Estate by Dunaway Associates
2813 Merrimac Street

- a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of two attached zero-lot line units with a 15-foot front yard setback, where a 25-foot setback is required, deficient by 10 feet.

Approved (8-0)

18. BAR-14-150

Debra Carlo by Charlie Sanders
4063 Bunting Avenue

- a. Request a **VARIANCE** in an "A-5" One Family District to permit an addition to the single family residential structure to encroach 3 feet into a 5-foot side yard setback, creating a 2-foot side yard setback.
- b. Request a **VARIANCE** in an "A-5" One Family District to permit the construction of a pool bath to encroach 5 feet into a 5-foot rear yard setback, creating a 0-foot rear yard setback.

Approved (8-0)

III. ADJOURNMENT:

4:38pm

ASSISTANCE AT THE PUBLIC MEETINGS:

Fort Worth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least 48 hours prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

ASISTENCIA DURANTE LA REUNION PUBLICA:

El Edificio Municipal de la Ciudad de Fort Worth, City Hall, tiene acceso para silla de ruedas. Se solicita a las personas que planean asistir a esta reunión y que necesitan servicios de intérpretes o lectores/impresiones con letra grande que se comuniquen con el Coordinador de la Asociación Americana de Discapacitados (ADA) de la Ciudad, llamando al teléfono (817) 392-8552 o por correo electrónico a ADA@FortWorthTexas.gov por lo menos 48 horas antes de la reunion para que se hagan los arreglos adecuados. Si la Municipalidad no recibe una notificación por lo menos 48 horas antes de la reunión, ésta hará un intento razonable para proporcionar los servicios auxiliares necesarios.

Executive Session.

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.